

AO 247 (02/08) Order Regarding Motion for Sentence Reduction

# UNITED STATES DISTRICT COURT

for the

United States of America

v.  
*Damon Joiner*Date of Previous Judgment: 12-18-2007  
(Use Date of Last Amended Judgment if Applicable)

)  
)  
) Case No: 1:07 CR 233  
) USM No: 385 80-060  
) FPD  
) Defendant's Attorney

## Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)

Upon motion of ☒ the defendant ☐ the Director of the Bureau of Prisons ☐ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion,

IT IS ORDERED that the motion is:

☒ DENIED. ☐ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of \_\_\_\_\_ months is reduced to \_\_\_\_\_.

### I. COURT DETERMINATION OF GUIDELINE RANGE (Prior to Any Departures)

Previous Offense Level: _____	Amended Offense Level: _____
Criminal History Category: _____	Criminal History Category: _____
Previous Guideline Range: _____ to _____ months	Amended Guideline Range: _____ to _____ months

### II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE

- ☐ The reduced sentence is within the amended guideline range.
- ☐ The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.
- ☐ Other (explain): \_\_\_\_\_

### III. ADDITIONAL COMMENTS

Except as provided above, all provisions of the judgment dated 12-18-07 shall remain in effect.

IT IS SO ORDERED.

Order Date: 7/15/08

*Christopher A. Boyko*  
\_\_\_\_\_  
Judge's signature

Effective Date: \_\_\_\_\_

(if different from order date)

Printed name and title

Judge Christopher A. Boyko  
United States District Court